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1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthaler and Whistler (1973). The *Chlorophyll a* and *Chlorophyll b* contents were expressed as $\mu\text{g g}^{-1}$ of dry weight.

No.: 3:04-CV-596

Defendant.

On Motion of the Plaintiff, by agreement of Defendant, and it appearing to the Court that Plaintiff has subpoenaed documents, and information and records from BlueCross BlueShield of Tennessee, and that the Plaintiff seeks to protect the documents, information, and records (“documents”) to be produced by BlueCross BlueShield of Tennessee pursuant to the subpoena that may contain protected health information covered by HIPPA, 42 USC § 201, *et seq.*, as authorized by 42 C.F.R. § 164.512(e);

1. This Protective Order will apply to all documents, information and records produced to Plaintiff by BlueCross BlueShield of Tennessee pursuant to the subpoena served by Plaintiff in this case.

2. All documents, information and records provided to the Plaintiff by BlueCross BlueShield of Tennessee pursuant to the subpoena shall be subject to this Protective Order and shall be used solely for the purposes of this litigation and for no other purpose. The parties and their

counsel shall not provide any document or portion of any document covered by this order, or any copy thereof to any person except as provided in paragraphs 3 or 4. Further, the parties and their counsel, may not disclose, orally or in writing, the information in any document covered by this order to any person except as provided in paragraphs 3 or 4.

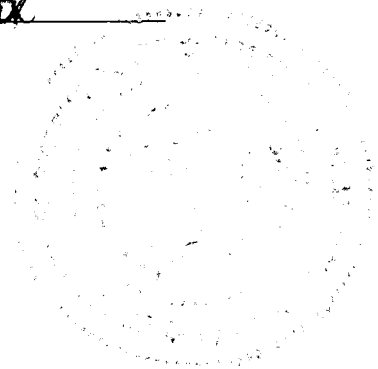
3. The parties and their counsel shall maintain all such documents, information and records produced by BlueCross BlueShield of Tennessee pursuant to the subpoena as confidential and access to them shall be restricted to Plaintiff and Defendant, their counsel, counsels' paralegal or secretarial staff, and the parties' experts, if any. Prior to receiving access to any confidential document, each of the persons identified above shall agree to be bound by the terms of this Protective Order.

4. Nothing in this Order shall be construed as preventing either party from using the documents provided by BlueCross BlueShield of Tennessee pursuant to the subpoena during a deposition, during the trial of this case, or in connection with a Motion in this case, but if any such document is filed in Court, the party filing same shall request that it be filed under seal.

5. After final termination of this litigation, all documents covered by this Order, and all copies thereof, shall be destroyed by Plaintiff's counsel and by Defendant's counsel.

ENTERED this the 9th day of February, 2006.

Thomas W. Phillips
Judge Thomas W. Phillips



APPROVED FOR ENTRY:

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